

## DECISION OF THE FIM APPEAL STEWARDS

### FIM APPEAL STEWARDS' DECISION UPON THE APPEAL OF Franco MORBIDELLI on 29/04/2023

The team, MONSTER ENERGY YAMAHA MOTOGP TEAM (M. Meregalli) lodged a written appeal on behalf of Franco MORBIDELLI on 29/04/2023 at 17:45 to the Appeal Stewards with the deposit for appeal of 1320 Euros. (by IRTA guarantee).

The appeal is lodged against the decision of the FIM MotoGP Stewards of 29/04/2023, notified to the rider, Franco Morbidelli, on 29/04/2023 at 17.24, regarding the penalty notified to Franco Morbidelli #21 for an irresponsible riding causing contact with rider #73, causing a crash. This collision took place during the MotoGP Sprint.

The penalty inflicted and notified was a long lap applied to the MotoGP Race on Sunday 30/04/2023.

#### 1. Composition of the FIM APPEAL STEWARDS

The Panel of the FIM Appeal Stewards is made up of:

- Ralph Bohnhorst FIM Appeal Steward
- Mario Solana FIM Appeal Steward (nominated by FMNR)

The hearings were held from 18:00 to 18:30

#### 2. Validity of the appeal

The Panel has decided that the appeal was regularly lodged, in due form, with the appropriate fee guaranteed and was within time deadlines.

#### 3. The hearing

The Appeal Stewards Panel was convened on Saturday 29/04/2023 with the following persons and heard their explanations:

##### MONSTER ENERGY YAMAHA MOTOGP TEAM

- Massimo Meregalli, representing the rider Franco Morbidelli.

##### FIM MotoGP Stewards:

- Mr. Freddie SPENCER
- Mr. Andres SOMOLINOS
- Ms. Tamara MATKO

The following documents were submitted to the Appeal Stewards:

Documentary evidence regarding the FIM MotoGP Stewards Decision.

The Appeal document.

The IRTA security deposit.

#### 4. The facts

A hearing was held with all parties involved.



**5. The FIM MotoGP Appeal Stewards Panel's considerations:**

The Appeal simply stated that the rider did not agree with the Sanction applied.

The MotoGP Stewards were interviewed by panel as to the basis of the decision with respect to their view that the rider Franco Morbidelli #21 was observed infiltrated on the inside of the corner not having enough space to overtake without contact the rider in front of him #73, which caused a collective crash.

They also provided the basis of the level of the penalty based on that decision.

The rider Franco Morbidelli #21 and his manager, were then invited to present their case to the Appeal Panel, in addition to reviewing Official TV footage provided by Dorna.

The rider Morbidelli #21 did not attend in the hearing but was represented by his team manager, Massimo Meregalli. This representation was accepted by the FIM Appeal Stewards.

**6. The judgement**

Based upon this information, the FIM Appeal Stewards decide:

- to reject the Appeal (art. 3.3.3.2)
- to confirm the penalty notified by the FIM MotoGP Stewards.

On the basis:

The appeal Stewards agreed with the MotoGP Stewards that Franco Morbidelli #21 was observed as being ambitious in his attempt to overtake, causing contact and crash with Rider #73.

Secondly, that based upon this decision that the penalty applied was appropriate according to the MotoGP Protocols as circulated to the teams on 30/03/2023.

- The decision of the FIM Appeal Stewards (which confirms the previous decision of the MotoGP Stewards) is final and there is no further right of appeal. Art 3.4.2.1

Circuito de Jerez 29/04/2023 18h50.

FIM Appeal Steward  
**Ralph BOHNHORST**

Receipt of Notification

Date 29.04.2023

Distribution : 19:15

All parties present listed above:

FIM

Dorna

FMNR Appeal Steward  
**Mario SOLANA**

(Signature of Rider or Team Manager)

Time of Notification: 19:15

